IN RE: PETITION FOR ADMIN. VARIANCE N/S Village Green Drive, E of Offutt Road (9994 Village Green Drive)

2nd Election District

2nd Councilmanic District

Charles R. Nelson, et ux Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 99-250-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Charles R. and Valerie D. Nelson. The Petitioners seek relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) with a height of 19 feet in lieu of the maximum allowed 15 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

HUER REGENEPEDR FILING

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of January, 1999 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (detached garage) with a height of 19 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The addition (garage, barn, etc.) shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHÝ M! KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bis



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

January 13, 1999

Mr. & Mrs. Charles E. Nelson 9994 Village Green Drive Woodstock, Maryland 21163

RE: PETITION FOR ADMINISTRATIVE VARIANCE

N/S Village Green Drive, E of Offutt Road

(9994 Village Green Drive)

2nd Election District – 2nd Councilmanic District

Charles R. Nelson, et ux - Petitioners

Case No. 99-250-A

Dear Mr. & Mrs. Nelson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner

for Baltimore County

TMK:bis

cc.

People's Counsel; Case File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9994 VILLAGE GREEN DR
which is presently zoned D.

This Petition shall be filed with the Dept. of Permits & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400, 3 To Permit A De CACHED ACCESSORY STRUCTURE IN THE REPUBLIED TO HEIGHTOF

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE RONGISE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, poeting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:	L⊮gal Owner(s).
Charles & NELSON	Lagal Owner(s). VALURICE & NELSON (Type or Print Name) Signature Signature
Charles E Nalson	Tallrie D Meldon
9994 VILLAGE GREEN DE	(Type or Print Name)
Woodstock MD 21163	
City State Zipcode	Signature
ity State Zipcode ittorney for Patitioner.	Signature 410 ~ 456 ~ 4587 Address Phone No.
ity State Zipcode ttorney for Petitioner. 'ype or Print Name)	410-456-4587
	410 - 456 - 4587 Address Phone No City State Zipcode

Zoning Commissioner of Baltimore County

REVIEWED BY: JM DATE: 12-16-98

ESTIMATED POSTING DATE: 12-27-98



Printed with Soybean Ink on Recycled Paper ITEM #: 250

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the per testify thereto in the event that a public hearing is so That the Affiant(s) does/do presently reside at	sonal knowledge of the Affia cheduled in the future with r 9994 Village	egara inereio.		110
_	Woodstock, M	ID 21163 State	Zip Code	_
That based upon personal knowledge, the followin Variance at the above address: (indicate hardship or prairies)	g are the facts upon which L	we base the reque	st for an Administrative	e
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which included the truss				
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came to inspect the gutte				
trussels were too high. I	cannot return	the tru	ssels to th	<u>e building</u>
supply co. nor will they				
A PARTIES	MORE to wit:	aired to pay a repo	e, a Notary Public of the	t page) e and

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

	That the Affiant(s) does/do presently reside at 9994 Villagi Theer Drue address
	Woodstock ml 2/163
	City State Zip Code
	That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)
	On 9-9-98 inspector Hohn apploud the
	framing my garage which included the truste.
	at that point, based on his approval I proceeding to
	complete the project with the Rossery Shingles, Vindou
	doors and The gutters He next inspector Care to inspect to
	getters + at that time beline that the trussels were too hop
6	cannot return the trusts to the builting supply to, or well the
me a refusa	1. De Daran was complete when The inspecto around and I the
Carrol of	L. De Daray, was complete when the inspector and and I'm or on Junear obe to Start all sevageur I have when Junear of That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and
	may be required to provide additional information.
	Chala & Walson & Walnie A Melow
	(signature) (signature) (signature) (signature) (signature) (signature)
	(type or print name) (type or print name)
	STATE OF MARYLAND, COUNTY OF BALTIMORE, to way
	I HEREBY CERTIFY, this 2012 day of
	(hales Nelson
	the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law
	that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.
	AS WITNESS my hand and Notarial Seal.
	date NOTARYNOTARY VELIC
	PUBLIC My Commission Expires: 5/01/01
	THORE OILL WOR
	TO THE PARTY OF TH

マら0.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

This Petition shall be filed with the Dept. of Permits & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400 63 To Permit A DE-CACHED ACLES SONY STRUCTURE IN THE READ YAND TO HAVE A HEIGHT OF 19
FT. IN LIEW OF - WE REQUIRED IS FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE Kerraes

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

iWe do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition
Legal Owner(s)
Markie Daerson (Type of Pynt Name) Melow Signature
Type or Print Name)
Signature
Address 410-496-4587
. City State Zipcode Name, Address and phone number of representative to be contacted
Name
•

Zoning Commissioner of Baltimore County

Printed with Soybean Ink

circulation throughout Baltimore County and that the property be reposted

Page 2

Afford to start over on this project. Due to other financial obligations, I have exhausted all other funds at this time.

I also feel that the error in this building is in no way an obstruction to my neighbors. The 3 houses around my property are all on one or more acres of land. (see diagram inclosed).

My commission cap 5/01/01 MOTARY PUBLIC

on my Description For 9994 Village Green Druce.

Book No. 68, folio 126. The improvements thereon being known as 9994 Village Green Drive, Woodstock, 3, EDRICH MANOR", which Plat is recorded among the Land Records of Baltimore County, Maryland in Plat BEING KNOWN AND DESIGNATED as Lot Thirty-Six (36), as shown on the Plat entitled, "Plat 1, Section Maryland 21163.

Baltimore County, Maryland in Liber No. 12486, folio 531 was granted and conveyed by Edrich Enterprises unto Harvard Homes, L.L.C., the Grantors herein. BEING the same parcel of ground which by deed dated August 25, 1997 and recorded among the Land Records of

CONTAINING 1.109 AC, LOCATES ? Two Council Distance. IN THE ZND ELECTION DISTAUCT

99.250-A



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BALTIMORE COUNTY, MARYL D	- (c) + 3C. Ft.	A CONTRACTOR OF THE STATE OF THE
OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 06 2409	PAID RECEIPT PROCESS ACTUAL TIME
DATE 12 16-06 ACCOUNT	KCCI CISO	2/17/1998 12/16/1998 15:50:51 FC W602 CANHER JRIC JAK DRAWER 2 5 MISCELLANGUS CASH RECEIPT
АМОÚNТ <u>\$</u>	-50°	Releipt II 073894 OFLAS CRINO. 062409
FROM: NALLES & CAL	EILY NECSON	50.00 CASH Daltimore County, Waryland
FOR: NOMELLE OAL	. 50	A
	99	-250-A
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CL	(62)	CASHIER'S VALIDATION

	RE: Case No.: 99-250-A
	Petitioner/Developer:
	MR. CHARLES NELSON
	Date of Hearing/Closing: JAN 11,1990
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
were posted conspicuously on the property lo	GEGREEN ROAD
The sign(s) were posted on DEC, 2	(Month, Day, Year)
	Sincerely, Signature of Sign Poster and Date)
D) E G [V E V E	CARLARID E. MOORE (Printed Name) 3225 RYERSONI CINCLE (Address) PACTIMONE, MD. 2122) (City, State, Zip Code) (410) 242-4263 (Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 99- 250 -A Address 9994 DIWAGGROENDA
Conta	rict Person: Sound Color And Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing	Date: 12:16:98 Posting Date: 12-27.98 Closing Date: 1-11-99.
Any o	contact made with this office regarding the status of the administrative variance should be gh the contact person (planner) using the case number.
1.	POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2.	DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3.	ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4.	<u>POSSIBLE PUBLIC HEARING AND REPOSTING:</u> In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
	(Detach Along Dotted Line)
Petitie	oner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case	Number 99- 250 -A Address 9994 ULLAGE Green There oner's Name CHARLES & VALGRY NOWOW Telephone 40-496-4587
Petitic	oner's Name CHARLES & VALERY NEWOW. Telephone 4(0-496-4587
Posti	ng Date: Closing Date:
Wordi	ng for Sign: To Permit A Decreace of Accessory s-auguste of
	19, FIT LOVICEOW, OF THE REQUIRED 15 FT.
	
·	COPY GIWGO WCR-Revised 7/2/98 TO PROCEDUT.

APPROVED SIGN POSTERS

Stacy Gardner Telephone: 410-781-4000 Shannon-Baum Signs, Inc. Toll Free: 800-368-2295 105 Competitive Goals Drive Fax: 410-781-4673

Eldersburg, MD 21784

Richard Hoffman Telephone: 410-879-3122

904 Dellwood Drive Faliston, MD 21047

Telephone: 410-242-4263 Garland E. Moore 3225 Ryerson Circle Mobile: 410-382-4470

Baltimore, MD 21227

Telephone: Tom Ogle 410-687-8405

325 Nicholson Road Mobile: 410-262-8163

Fax: 410-687-4381 Baltimore, MD 21221

Patrick M. O'Keefe, Sr. Telephone: 410-666-5366 523 Penny Lane Cell: 410-905-8571

Hunt Valley, MD 21030 410-628-2574 Fax:

410-882-2469

Lindà M. Jones Telephone: 410-296-3333 Daft-McCune-Walker, Inc. Fax: 410-296-4705

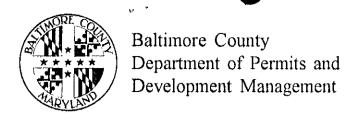
200 East Pennsylvania Avenue

Towson, MD 21286

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST BE ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 10/21/98



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

January 11, 1999

Mr. Charles E. Nelson 9994 Village Green Drive Woodstock, MD 21163

RE: Item No.: 250

Case No.: 99-250-A

Location: 9994 Village Green Dr.

Dear Mr. Nelson:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on December 16, 1998.

The Advisory Committee of Zoning (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures

AVIII

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: January 4, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

ITEM NO. 250

The Office of Planning supports the applicant's request subject to the following condition:

The petitioners or subsequent owners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Jeffry W. Len

Section Chief: _(

AFK/JL



Parris N. Glendening Governor David L. Winstead Secretary Parker F. Williams Administrator

Date:

12.28.31

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County

Item No. 256

JRA

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (Igredlein@sha.state.md.us).

Very truly yours,

Y. J. Areal la In Michael M. Lenhart, Acting Chief Engineering Access Permits Division BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: December 29, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Sureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for December 28, 1998

Item Nos. 246, 247, 248, 249, 250

253, and 254

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE:

Permits and Development Management

FROM:

R. Bruce Seeley, Project Manager

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has **no comments** for the following Zoning Advisory Committee Items:

Item #'s:

246

247

249

2-1

253

254



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

December 31, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 28, 1998

ftem No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

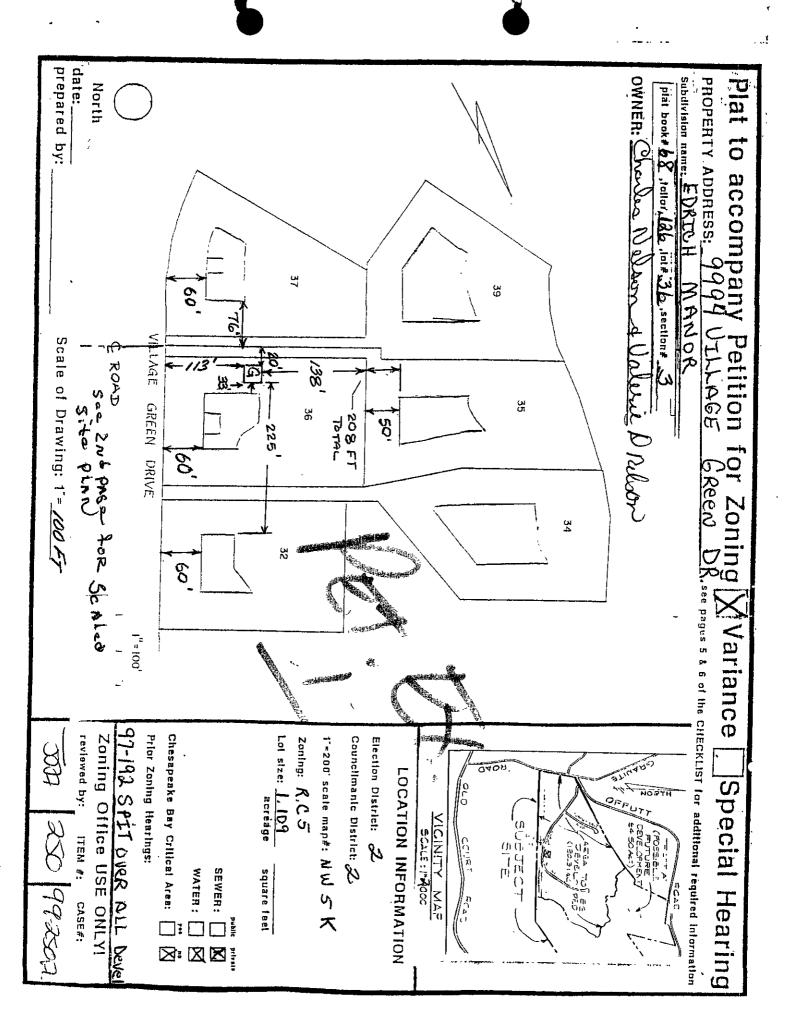
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

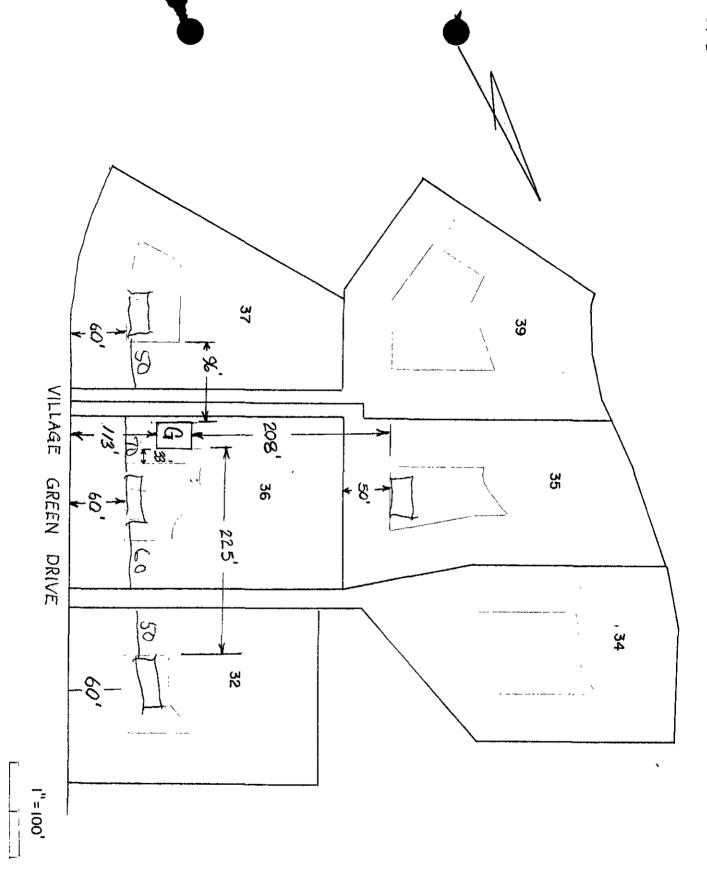
246, 247, 248, (50) 251, 253, and 254

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





RSC



Lot 32

99.250-A